

MELLEN BALKS AT CORONER'S INQUIRY

Declines to Answer Some Questions by Advice of His Attorney.

IS NERVOUS ON THE STAND

Engineer Doherty Questions General Manager Bardo in Stamford Wreck Inquest.

BRIDGEPORT, Conn., July 7.—After President Charles Mellen of the New Haven railroad refused to answer several technical questions during the inquest into the Stamford wreck today, coroner Phelan got some information from other officials of the road.

C. H. Morrison, master mechanic of the road, said that an automatic train stop would have been of no use at the scene of the wreck and that it would be of use only on short crossover switches.

Every effort made by the coroner to ascertain the definite duties and powers of the various department heads met with little success. The duties of the various departments were explained in a general way, but questioning as to the powers of any individual brought the reply that no one had final authority except the board of directors.

Mr. Mellen Nervous.
President Mellen was nervous while on the witness stand. He guarded against replying to any questions that would affect him as the result of his involvement in the Stamford wreck case, pending in the Superior Court. He declared that it was upon the advice of his personal counsel that he declined to answer some of the questions.

Coroner Phelan insisted that President Mellen was obliged to answer questions that might incriminate others, but when it was made clear to him that the head of the road was indicted jointly with Vice-Presidents Campbell and McHenry, he ceased the questioning. Benjamin Spock, attorney for the railroad, objected to several of the questions.

When Mr. Mellen was asked to define the duties of the construction department, Mr. Spock protested on the ground that it would be incriminating. The objection was overruled and Mr. Mellen replied that the department was in charge of new bridges, new lines, sidings, buildings and general construction work. He testified that Vice-President Campbell has charge of all matters pertaining to traffic and that Mr. Krookberger was the financial vice-president.

"Has Mr. Whaley final say in all matters of operating, construction and maintenance?" asked Coroner Phelan. "In many instances he might have final say, in many others it might depend upon myself and in many others on the board of directors," replied the witness.

Range of Responsibility.
Mr. Mellen could not define the powers of General Superintendent C. N. Woodward. He declared that C. L. Bardo, general manager of transportation, was responsible to Vice-President Whaley, and he in turn to the president of the road, who was responsible to the executive committee and then to the board.

Pressed with further questions as to the duties and powers of various officials, President Mellen said: "No single unit is in power. There are many I do not know what would be overruled. I am above Mr. Whaley, the committee is above me and the board is above the committee."

Strict rules regulating the acts of employees on the spare list were explained by General Manager Bardo. Charles J. Doherty, the engineer of the train that caused the wreck, asked several questions of the witness on this point.

Doherty brought out the fact that six of the demerit marks against him were given because a train on which he was traveling from his home in New Haven to work in the Harlem River yards was two hours late and he reported the fact by telegraph.

Bardo denied that Doherty would have lost his standing on the extra list if he reported off duty for any good reason.

MRS. HEYE FINED FOR SPEEDING.

Pays \$25 in Long Island City Court—Twenty Others in Police Net.

Mrs. Blanche Heye of 2 East Fifty-sixth street, who asked \$75,000 a year alimony from her husband in her suit for separation recently, was fined \$25 in Long Island City yesterday for speeding.

Mrs. Heye appeared before Magistrate Leach with twenty others summoned for the same offense. She pleaded guilty and paid her fine.

Some of the others fined \$25 were Walter Willis, son of Nat Willis, the actor, Louis Guinot, David Belasco's chauffeur, and Richard Carmen of Garden City. Dr. Thomas Chalmers, who is connected with the State Civil Service Commission, was released on parole until a later date.

At the time of Mrs. Heye's suit for alimony Justice Aspinall granted her \$17,000 a year.

BANDS SUE FOR WILSON MUSIC.

Placed for College Men in Campaign Parade and Haven't Been Paid.

Three of the bands engaged to furnish music for the Woodrow Wilson Campaign Parade in New York City yesterday against William B. Hornblower as president of the league, for \$732, through John J. Sullivan of 203 Broadway, counsel for the Musical Mutual Protective League, to which the claims have been assigned.

The Seventh Regiment band, which furnished fifty men and a leader; William F. Connelly's band, with nine men and a leader; and Lambert L. Ebon's band, which not only furnished twenty-eight men and a leader, but a drum major as well, are the original claimants. Their bill was sent to Mr. Hornblower, who replied that the affairs of the league had been wound up. The Democratic National Committee, through Mr. Tumulty, now Secretary to the President, declined to be responsible.

Alleged Wiretappers Indicted.
The Grand Jury yesterday indicted John Kaulding, alias John Jones, and George Waxman, alias Hobart, who got \$700 from Edward Lee Baxter Davidson, banker and brother of Charlotte N. C. by an alleged "wire tapping" scheme.

NEW IN VAUDEVILLE.

The Week's Features on the Bills of the Two A Day.

Flavia Arcara and Leo Edwards united their talents at the Fifth Avenue Theatre yesterday afternoon and were heard in an entertaining list of songs. Now the muses and comedians, Mr. Edwards put her gifted amiable through their places to the delight of the audience. The Stanley Trio, Pearson & Goldie, Julia Nash and company, Mary Gray, Ray Collins and Kennedy and Kramer were some of the others on the programme.

Ching Ling Poo began a week's engagement on the roof of the Victoria Theatre last night and had his company to share the approval of the audience with him. Adele Ritchie, Fox & Dolly, Joseph Herbert, Jr. and Lillian Goldsmith, Travato and Bedini and Arthur were other entertainers.

Emma Dunn in "The Nodding Good" was one of the actors at the Brighton Beach Music Hall last night, and with her were Fanny Brice, Chip and Marie, Willa Holt, Waterfield and others, who will be seen throughout the week.

Bessie Wynn was at the New Brighton Theatre last night, and so were Harry Bulker and his company, Ben Welch, Miss. Bessie and company, Ceare Rivoli and a long list of popular vaudeville players. The Fifth Avenue Theatre had on its programme yesterday afternoon Jess Dandy, who returned to the vaudeville in a face with music called "The Nodding Good." There were some singers and dancers to help him and he seemed to need their assistance. Gertrude Vander and Walter James, Martin and his outfit, pack of cards, the Gash Sisters and Hanlon and Clifton in an original and skillful act of strength were other features.

AMERICAN PLAY CO.'S PLANS.

Six New Pieces in Preparation, One of Them Parity by Mathewson.

Six new plays will be produced next season by the American Play Company, according to an announcement made yesterday by Arch Selwyn, managing director of the company. Six companies will be sent on the road with "Within the Law."

The first new piece will be "Fair Play," the work of Christie Mathewson, famous pitcher of the Giants, and Rida Johnson Young, who wrote "Brown of Harvard" and other successful comedies. Miss Young and Mr. Mathewson have been working on the play for several months. It will present a picture of the national game.

Among the other plays to be produced are "Under Cover," giving a glimpse of smuggling operations. Jane Cowd will appear for a time in "Within the Law" in the Kitting Theatre and meanwhile will hold rehearsals of a new play by Margaret Mayo, which will be produced about Christmas time.

In connection with the Authors Producing Company the American Play Company will give a new play by Charles Klein. Margaret Hillington also will be starred in a new drama.

CHANGES AT STOCK THEATRES.

Actors to Be Seen in Familiar Dramas This Week.

The Harlem Opera House offers this week its actors in "The Million," which is an active play for this season of the year. But they played yesterday with no signs of flagging activity this popular adaptation of Beer and Gull-maud's farce. Paul Ker from the original cast and Leonard Bayne were added to the company for this play.

At the Academy of Music last night was acted "The Rosary," by Edward E. Rose, in which most of the popular actors of the company were seen. Next week "The Merchant of Venice" is promised, which shows the ambitions of this industrious group of players.

ACCUSE FILM TRUST.

Witnesses in Government's Suit Tell of Alleged Hardships.

Attorneys for the defence in the Government's dissolution suit against the Motion Picture Patents Company and other defendants were temporarily balked yesterday in an attempt to show that the business of the company was not ruined by the complaining witnesses, was not ruined by the operations of the so-called film trust.

Swaab, who formerly had a moving picture house in Philadelphia, testified before Special Examiner Edward Hacker that the company was practically ruined by the trust and that the Motion Picture Patents Company refused to supply him with any more films. He continued to operate independently, he said, but his business, for which \$37,000 had been offered to him, was practically ruined.

Peter Adams, proprietor of a moving picture house in Philadelphia, testified that the Motion Picture Patents Company once threatened to revoke the license allowing him to operate a "trust" apparatus because he was using a set of films manufactured by an independent company. A similar story was told by William J. Anderson, who also owns a motion picture theatre in Philadelphia.

Charles J. Bailey, a member of the Board of Education of Connetquot, Pa., testified that in May, 1912, he took a set of pictures of 2,000 school children going through their drills and tried to show the films in Uniontown, Pa. The trust, he said, forbade the use of the films and he has never been able to get them on the screen.

The hearing will be resumed at 10:30 o'clock this morning.

Plays and Players.

Rehearsals were called yesterday for the new Winter Garden ballet. Miss Bessie Clayton and thirty girls will be in the dance.

William Hammerstein has arranged with Jesse Lasky for the presentation of "The Three Beautiful Types," an animated pictorial novelty, in Hammerstein's Roof Garden and Victoria Theatre, beginning next Monday.

Arthur Byron has been renegaded by Harrison Grey Fluke for the part of John Stephen Maddock in "The High Road," in which Mrs. Fluke will begin her tour in September.

Oliver Morosco will present in the Maxine Elliott Theatre on September 1 "The Escape," a new play by Paul Armstrong. The bill at the Rustic Theatre in the Paizade Amusement Park is headed this week by Harry Thomson in monologue. The Floradora Girls, Newhouse and Elmore, singers and dancers; the Musical Simmonds, the Rathskeller Trio, "The Garden of Song," a spectacular novelty; the Howard Twins and the Oxford Troupe are on the bill.

The Procter & Gamble Company will entertain their employees at "The Ziegfeld Follies" at the New Amsterdam Theatre to-night.

MOVIE ACTORS STEP FROM THE SCREENS

Take on Thickness and Talk Out Loud at Motion Picture Exhibition.

JOLLY JOHN BUNNY THERE

Lots of Other Picture Folk Walk in the Crowd—Shows Are Free Also.

The magicians of the moving picture world snapped their fingers last night and promptly in the Grand Central Palace there appeared in flesh and blood the heroes and heroines of the film melodramas. Actors and actresses only known to the public as figures that came and went silently across the screens paraded proudly and were followed by crowds of admirers.

Jolly, fat John Bunny—most everybody in New York has laughed with Bunny—was surrounded by hundreds wherever he waddled. The lean and angular Flora Finch, who plays in vaudeville pictures with Bunny, shook hands with people who had wondered whether or not she was a real person.

Alice Joyce of the Kalem staff, Madge Kirby and Mary Alden of the Hamo Company, Jimmy Mackaye, Will. Brown, Zena Keefe, clever Mary Pickford, Maurice Costello, Marian Nibbi and dozens more whose faces are probably better known to the public than the faces of folks who play along Broadway in the big theatres stepped from the films and received the admiration of the patrons of the movies.

First Exhibition of the Kind.

The materialization of the moving picture actors and actresses was the interesting feature of the first international exposition of moving picture art which began last night in the Grand Central Palace. It was the first time that the makers of pictures in America had gotten together to show the public how they work their miracles and what ingenious machines they use. All of the big producing and manufacturing companies were represented, including the Vitaphone, the Kalem, Lubin, Selig, Essanay, Kleine, Edison and the Kinemacolor.

Two floors of the Grand Central Palace were filled with the exhibition booths of these concerns and of the manufacturers of cameras, of motion picture equipment and of electrical devices. On the second floor four foot trees gave free exhibitions of moving picture plays. Everything was free once the visitor paid a small admission price at the door.

Besides the free movies the crowds were entertained by bands that played turkey trot music by giant electrical organs and by the orchestral and by graphophones so arranged that you could put your ear to any one of a hundred funnel shaped transmitters and hear rattle and rattle selections.

Although the exhibition opened last night the convention of motion picture producers does not begin officially until this morning. As a side feature of the exposition and convention excursions will be made this week to West Point, to the studio of the Pathé Freres, to Coney Island and other points of interest.

YACHTSMEN FORM U. S. LLOYDS.

Suit on Policy Discloses Organization of New Insurance Concern.

Through the filing of suits yesterday to collect insurance on a yacht it became known that a group of wealthy Americans have organized an American insurance concern after the style of the English Lloyds, the chief purpose of which is to insure their own yachts.

The concern is called the United States Lloyds and each insurance policy creates a liability against each of the 100 underwriters in the syndicate, and in case the claim under the policy is not paid suit must be brought against each of the 100. The concern does its business through Higgins, Cox & Co. of 3 South William street.

The suits filed yesterday are brought by John Albert Fish, an insurance broker at 123 William street and member of the New York Yacht Club, against William E. Leach and James Lee Leach, both bankers, to recover from each a hundredth of the face value of a policy for \$15,000 on the auxiliary schooner Santa, which was destroyed by fire off Newport several years ago.

Other members of the syndicate are Frank A. Vanderbilt, J. P. Morgan and J. P. Morgan & Co., George W. Perkins, H. H. Rogers, James Crosby Brown, John E. Berwind, John Claflin, Levi P. Morton, Horace Havemeyer, Washington B. Thomas, Edward T. Bedford, J. Ogden Armour and Lewis F. Swift.

HELD 15 MONTHS FOR NOTHING.

Man of 70 May Get Out of Jail Through Wife's Efforts.

Mrs. John Plotz of 370 Palladium avenue, Jersey City, asked Supreme Court Justice Swazey in the Hudson County court house yesterday if her husband could be released from the county jail, where he has been locked up for fifteen months though charged with no crime.

Mrs. Plotz is 65 years old. Since her husband's arrest she has had to earn her living. Plotz is 70 years old. He was arrested in March, 1912, on a capias issued in a civil suit. A real estate dealer had sued him and the capias was issued on the ground that Plotz might leave the jurisdiction of the court. Plotz brought counter suit, charging that the realty man had caused him to lose his farm in Delaware, valued at \$1,550, for lots in Linden, N. J., said to be worthless. Plotz was unable to give bail. The real estate man's suit still hangs fire.

Justice Swazey told Mrs. Plotz that he would entertain a motion to dismiss the suit to-morrow.

THINK HAAS THIEF WORKED IN NEWPORT

Continued from First Page.

this case it was hidden in the platinum flange work. Mr. Webber, manager for Gattie & Co., put the horseshoe under the glass and found the firm's secret mark. That identified it beyond all doubt.

From Borg, who was getting more and more nervous and who was now escorted back to his small shop, where his sons were at work polishing jewelry, the Burns men learned that he had met Rhind on Thursday, once before. That was on February 22 last, when Rhind walked in for the first time with three uncut diamonds. Rhind explained that he was selling them for James McIntyre, presumably the same James McIntyre who came to him from the Haas home. Borg bought the jewels, now supposed to have been stolen for \$30. Rhind said he was a doctor at Bellevue and displayed a card which read:

Rhind "Professor of Ju Jitsu."
Tel. 444 Madison Square
R RHIND
Professor of Ju Jitsu and Kata
Permanent Address: Highfield, Sutton
on Sea, Lancs, England
Bellevue: 41 East 24th Street, N. Y.

On the back of this card was scrawled "Jas. McIntyre."
Borg thought his purchase of the three uncut stones unusual enough to enter in his books along with the record of the purchase a description of Rhind—"about 5 foot 8, pale, brown eyes" and the usual things that are generally so effective in giving one no idea of what a man looks like.

Borg didn't see Rhind again till last Thursday. When Rhind brought in the horseshoe Borg offered him \$175 for it, less than a fifth of its value. Rhind agreed and received \$20 and a check for \$155. He had this check on him when arrested. Borg did not enter this purchase in his books and when asked to explain yesterday said it was an "uncompleted transaction." Rhind took money and check and went out saying that he would be in again Saturday with some more jewelry from "Mr. McIntyre."

Meanwhile McIntyre had been so incensed at Borg to send a telegram to his wife, Marie Krueger, at Long Branch, saying:

"Your husband will be in New York Saturday."
This was signed "Elizabeth." It develops that he had the habit of writing her in the third person under this feminine pseudonym. This telegram hastened the maid's confession. At first she denied that it was for her, but later she owned up.

Besides the telegram the things that brought Marie Krueger to confess were the taking of finger prints of all the servants, against which she rebelled; the discovery of letters from a German aunt congratulating her on her marriage to McIntyre; and the arrest of McIntyre in Greenwich. After her confession late on Sunday night to Capt. Walling of the Long Branch police, the maid was locked up. She is ill, it is said, from the strain. Mr. Haas declared yesterday that she came to him with the highest references and was extraordinarily skillful as a servant.

At the court proceeding yesterday at Greenwich, when Rhind and McIntyre were held in \$5,000 each for a hearing on Thursday, the central figure was a pretty school teacher of north Cos Cob, Miss Florence Wells, whose detective instincts caught the early arrest of the thieves.

Miss Wells lived next door to the home of Eugene Scott, where Rhind was staying. She said yesterday that she could not explain it, but she had conceived a dislike for Rhind from the time she first set eyes on him. As he was next door she saw him rather frequently, and each time liked him less. She did not believe anything he said about himself.

Then McIntyre arrived from New York and Long Branch. Miss Wells

saw the two confabbing often and with a great air of secrecy. She watched them at one of these conferences at the dinner table on Saturday while she was visiting the Scotts. She gave Fred Scott, the son, a wink, and he rose from the table. Miss Wells slipped into his place and ate more or less, but kept her eyes on Rhind and McIntyre.

The two left the table together and Miss Wells sauntered out into the hall. When the men went up into Rhind's room she entered the one next to it. There was a couch alongside a door between the two rooms. Miss Wells scrambled on the couch and put her ear to the keyhole.

Heard Thieves Plotting.

It was a hot day, but what the pretty school teacher heard made her forget the weather. The two men, she says, were planning to rob every inmate of the Bowman Sanitarium, where Rhind had been working as a nurse. The robbery was set for last night. The same evening the Scott family was to part with all its cash, jewelry and silver.

Rhind and McIntyre discussed a piece of bad luck earlier in the evening when they had followed a woman known to have money. They hadn't been able to find it. Then McIntyre scolded Rhind for not getting more than \$175 for the diamond horseshoes pawned in New York. The pair are Scotch. They had plans, both joking and serious, to buy a hotel in Scotland where they should have stolen enough money. They decided to go to Springfield, Mass., and then to Albany, Detroit and Canada. They were to steal in Springfield and Albany, dispose of odds and ends in Detroit and sail for Canada.

After listening to the plotting thieves the school teacher told Dr. Bowman in his sanitarium, Chief of Police Ritch and Deputy Sheriff Finnegan.

NEW HOME FOR MR. MORAWETZ.

Will Build a \$200,000 House at Wheatley Hills.

Victor Morawetz is to join the colony at Wheatley Hills on the North Shore. He is to erect a residence that will cost \$200,000. He bought yesterday a tract of 100 acres outside Westbury from the Decker estate and Henry Mann.

The Decker farm comprises sixty acres and the Mann property forty acres. The highest hill on the property will be the site for the house. The tract is opposite the country place of J. Watson Webb. Mr. Morawetz married Miss Violet Westcott, daughter of Edward Noyes Westcott, author of "David Harum," in London two years ago. Mr. Morawetz bought the farms through S. A. W. Baltzart.

SWEETHEART WAITED 22 YEARS.

Now Comes Far to Marry Mr. Ross, Who's Been Married Once.

Miss Be Mann of London and James Russell Ross of Islip will be married on August 3 in St. Mark's Church, Islip, in accordance with an engagement begun by them twenty-two years ago.

Mr. Ross formerly lived in London. He and Miss Be Mann were engaged to be married at the time Ross came to America to make his fortune in 1890. Miss Be Mann waited for him to send for her to join him here as his wife, but the message did not come.

Five years later, Ross married a New York woman. They moved to Islip in August of last year. Mrs. Ross died last January and her husband wrote his former fiancée in London. He learned she had never married. Miss Mann will arrive on the Minnetonka on July 28.

WIFE CHARGES ODD CRUELTY.

Hit With Pistols, Thrown From Car, Dragged Across Lawn by the Hair.

Thomas B. Watson, Jr., a wealthy contractor, with an office at 122 William street, and owner of the Baltimore hotel at Baltimore, Md., was accused in papers submitted to Supreme Court Justice Goff yesterday by his wife, Mrs. Katherine L. Watson, of throwing her out of an automobile at Baltimore on May 8 last, striking her with his fists and dragging her across the lawn by her hair.

Mrs. Watson wants \$40 a week alimony and \$1,000 for a lawyer pending a suit for divorce.

T. R. ACCEPTS ADVICE TO DROP LOCAL FIGHT

Progressives Tell Him They Not He, Will Pick Candidate for Mayor.

HE LEAVES FOR THE WEST

Objections Made to Whitman, and McAneny or Mitchell Is Suggested.

Col. Roosevelt has been advised by Progressive leaders to keep his fingers out of the fusion plot. The Colonel, on their advice, left yesterday for two months in the West without a word about the municipal campaign.

He went a day earlier than his friends had expected. His secretary said he had gone early to avoid being questioned.

Progressive leaders were far from admitting yesterday that an attempt had been made to muzzle the Colonel. They said he had been earnestly advised not to allow his views to be made a factor in the campaign. They told him that the municipal fight was their own job and that they wanted to do it themselves.

Won't Accept Whitman.

The central fact of the matter is that the Progressives of this county refuse to accept Charles S. Whitman for Mayor. The Colonel more than once has told his friends that he believes the District Attorney to be "the most available candidate." The Progressive leaders say they will not follow the Colonel into Mr. Whitman's camp, whether he be "available" or not. Hence the urgent request that he make no public statement in favor of the District Attorney.

The Colonel has received many letters from Progressives in New York backing up the advice of the leaders.

Want Stillwell Disbarred.

The grievance committee of the Bar Association will ask the Appellate Division of the Supreme Court to-day to disbar ex-State Senator Stephen J. Stillwell and John N. Aubin on the record of their recent conviction.

The rank and file appear to think that Mr. Whitman cannot cleanse himself, as they say, of Republican taint.

Legality Is Questioned.

The Colonel heard also that there is doubt among Progressives of the legality of putting Mr. Whitman on a Progressive ballot. The advice of their lawyers is that any Progressive could go into court and have Mr. Whitman's name eliminated from the Progressive ballot on the ground of his Republicanism.

The Progressive attitude yesterday was that Mr. Whitman would be acceptable as a candidate for reelection as District Attorney. They believed that as District Attorney Mr. Whitman would be more successful in keeping the police up to the mark than as Mayor. It was said yesterday that if George McAneny should be named for Mayor the Progressives would back him. The same was said as to John Purroy Mitchell.

The Colonel left the Pennsylvania station at 8:01 o'clock yesterday morning. With him were his sons Archie and Quentin. They are going into the Arizona desert and to the Grand Canyon of the Colorado.

ELKS BEGIN THEIR SESSION.

New Yorker Is a Candidate for Exalted Ruler.

ROCHESTER, July 7.—The first session of the grand lodge of Elks was held this evening in Convention Hall with 1,400 delegates attending. Gov. Sulzer was expected to address the gathering, but was unable to be present.

Addresses were made by the grand officers, including Exalted Ruler Thomas B. Mills. Practically every delegation is now in the city. Gov. Tener of Pennsylvania is one of the Elks present.

The chief topic of conversation among the delegates is the hot fight for exalted ruler. The contest has dwindled down to two candidates, Edward Leach of New York city and J. Cookman Bond of Baltimore. Mr. Leach is the "regular" candidate and Bond is the representative of the "insurgent" element.

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